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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,286	02/26/2004	Edward Masami Sugiyama	SLA.1458	8194
55376	7590	02/21/2008		
David C. Ripma Sharp Laboratories of America, Inc. 5750 NW Pacific Rim Boulevard Camas, WA 97202			EXAMINER ABEBE, DANIEL DEMELASH	
			ART UNIT 2626	PAPER NUMBER
			MAIL DATE 02/21/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/789,286

Applicant(s)

SUGIYAMA, EDWARD MASAMI

Examiner

Daniel D. Abebe

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al. (20030063321) in view of Nolting (6,718,308).

As to claim Inoue teaches a method for identifying image file using voice information, comprising the steps of:

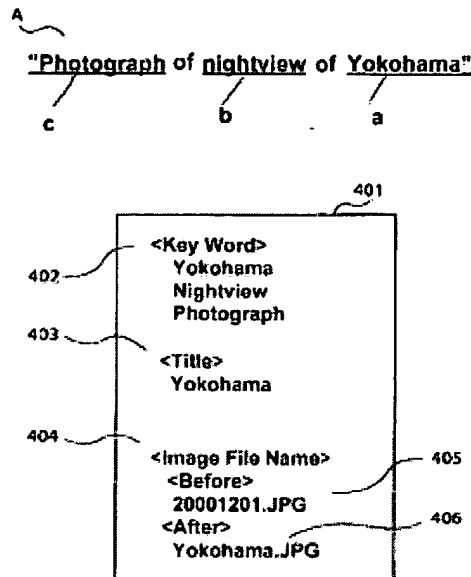
Capturing an image with a digital camera;

Capturing voice keywords associated with the image;

Storing the image and the keywords; and

Searching the image data using the voice keyword (abstract; par.009-012;

Figs.1-5).



"[0044] The adaptor 103 has the following function as a function unique to the present embodiment: the adaptor 103 has a function to **voice-recognize** a voice message input through the microphone 203, **extract words** from the message, convert the words into text data, and attach them to the image **data as keywords for image searches and a title**"

"[0061] A phrase A in FIG. 4 indicates an example of extracting keywords from a speech that was input. When a user voice-inputs "Photograph of night view of Yokohama," the underlined sections, a (Yokohama), b (night view), c (photograph) of the phrase A in FIG. 4 are extracted by the voice recognition/keyword extraction section 303 as keywords (character string data). **These keywords will be used to search the desired image data (the image file) in the application server 108**"

Even though Inoque clearly teaches where the voice tag (keywords) that are extracted from the voice information using speech recognition are for searching the

corresponding image it doesn't explicitly teach the process where the image are retrieved by speaking the voice tag.

Nolting however teaches a media presentation system controlled by voice tags/clips that are obtained using speech recognition technology, where an utterance (a voice tag) that is representative of an image clip is recognized by a voice recognition to retrieve the image (Fig.1, 7; Col.4, line 36-Col.5, line 15; Col.8, line 45-Col.9, line 40).

It would have been obvious to one of ordinary skill in the art at the time of applicants invention to include the retrieving of the image by uttering the keywords that were extracted and stored for search purpose in Inoue arts as claimed, especially in view of Nolting, since speech command is a convenient and hands free user interface that is used for multiple purposes including for retrieving media information.

As to claims 2-3, the camera and the media in Inoue as well as Nolting teaching include a digital camera used to take videos as well.

Inoue also teaches where lists of image file are stored.

Claim 4 is analogous to claim 1 and therefore rejected by Inoue in view of Nolting for the foregoing reasons.

Response to Arguments

Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel D. Abebe whose telephone number is 571-272-7615. The examiner can normally be reached on monday-friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel Abebe Primary Examiner A.U. 2626

A handwritten signature in black ink, appearing to read 'Daniel Abebe', with a long horizontal flourish extending to the right.

February 17, 2008